



RCE 12872  
IFW

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Application No. 09/881,218  
Filing Date June 13, 2001  
First Named Inventor Liu et al.  
Art Unit 2872  
Examiner Name Pritchett, Joshua L.  
Attorney Docket No. 42390P11429

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** - Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on May 25, 2004. (Any unentered amendment(s) referred to above will be entered. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

07/14/2004 AWONDAF1 00000091 09881218

i. ☒ Amendment/Reply

01 FC:1801

770.00 OP

ii. ☐ Affidavit(s)/Declaration(s)

02 FC:1201

86.00 OP

iii. ☒ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_

### 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other \_\_\_\_\_

### 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666

i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action

iv. ☐ Other \_\_\_\_\_

b. ☒ Check in the amount of \$ 770.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

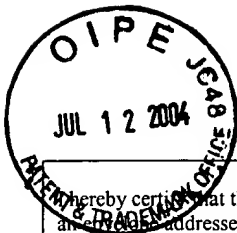
Name (Print/Type) Conn G. Claassen Registration No. (Attorney/Agent) 50,296  
Signature [Signature] Date July 8, 2004

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Yuko Tanaka  
Signature [Signature] Date July 8, 2004

Express Mail No. (only if applicable): \_\_\_\_\_



<b>FIRST CLASS CERTIFICATE OF MAILING</b>			
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July 8, 2004 Date Mailed	Yuko Tanaka Name	<i>Y. Tanaka</i> Signature	<i>July 8, 2004</i> Date

Attorney Docket No.: 42390P11429

*Patent*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

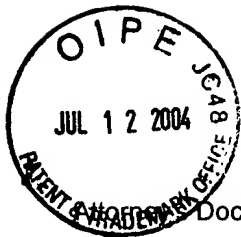
In re Application of:	)	
	)	
Liu et al.	)	Examiner: Pritchett, Joshua L.
	)	
Application No.: 09/881,218	)	Art Unit: 2872
	)	
Filed: June 13, 2001	)	
	)	
For: METHOD AND APPARATUS FOR	)	
TUNING A BRAGG GRATING IN A	)	
SEMICONDUCTOR SUBSTRATE	)	
_____	)	

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT & RCE**

Sir/Madam:

In response to the Notice of Allowance and Fee(s) Due mailed June 17, 2004, Applicants respectfully request the Examiner to enter the following amendments and consider the following remarks. A Request for Continued Examination is submitted herewith.



Docket No.: 42390P11429

Patent

In re the Application of: Liu et al.  
(inventor(s))

Application No.: 09/881,218

Filed: June 13, 2001

For: METHOD AND APPARATUS FOR TUNING A BRAGG GRATING IN A SEMICONDUCTOR SUBSTRATE  
(title)

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR: Transmitted herewith is an **Amendment & RCE** for the above application.

Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.

No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	Claims Remaining After Amd.		Highest No. Previously Paid For	Present Extra
Total Claims	* 18	Minus	** 29	0
Indep. Claims	* 4	Minus	*** 3	1
	<b>First Presentation of Multiple Dependent Claim(s)</b>			

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

SMALL ENTITY	
Rate	Additional Fee
X9	\$
X43	\$
+145	\$
Total Add. Fee	\$

OTHER THAN A SMALL ENTITY	
Rate	Additional Fee
X18	\$ 0
X86	\$ 86
+290	\$
Total Add. Fee	\$ 86.00

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

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on July 8, 2004  
Date of Deposit

Yuko Tanaka  
Name of Person Mailing Correspondence

Y. Tanaka  
Signature

July 8, 2004  
Date

X   A check in the amount of \$ 86.00 is attached for presentation of additional claim(s).  
       Applicant(s) hereby Petition(s) for an Extension of Time of        month(s) pursuant to  
37 C.F.R. § 1.136(a).  
       A check for \$        is attached for processing fees under 37 C.F.R. § 1.17.  
       Please charge my Deposit Account No. 02-2666 the amount of \$       .  
       A duplicate copy of this sheet is enclosed.  
  X   The Commissioner of Patents and Trademarks is hereby authorized to charge payment of the  
following fees associated with this communication or credit any overpayment to Deposit Account  
No. 02-2666 **(a duplicate copy of this sheet is enclosed)**:  
  X   Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of  
extra claims.  
  X   Any extension or petition fees under 37 C.F.R. § 1.17.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: July 8, 2004

  
Cory G. Claassen  
Reg. No. 50,296

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
(206) 292-8600